

## **REPORT TO THE BOARD OF SUPERVISORS**

**PLANNING AND ZONING HEARING DATE:**

February 2, 2006

**BOARD OF SUPERVISORS HEARING DATE:**

May 17, 2006  
(Cont. from May 3,  
2006)

**CASE NO:**

**Z 98-103**

**DISTRICT NO:**

5

**REQUEST:**

Rezone from Rural-43 to IND-3 with a precise Plan of Development

**ACREAGE:**

Approx. 2.75 gross acres

**LOCATION:**

West of the intersection of 39<sup>th</sup> Ave. & Broadway Rd.  
(in the Laveen/south Phoenix area)

**EXISTING ZONING:**

Rural-43

**SURROUNDING  
ZONING:**

Rural-43; IND-2 PD

**PROPOSED USE:**

Classic vehicle restoration, auto repair, and impound yard with ancillary automotive sales

**CONFORMANCE WITH  
ADOPTED PLANS:**

**County Plan:**

The Laveen Area Plan designates the site for Urban Residential/very Low uses (0-4 d.u./ac). This request does not comply with the County Area Plan.

**City/Town Plan:**

The City of Phoenix General Plan designates this site as transitional from industrial/commerce park to Medium Density Residential uses (3/5-5 d.u./ac). This request does not comply with the City's Plan.

**MUNICIPAL  
COMMENTS:**

The City of Phoenix was originally in support of this request. However, staff has since received a letter

from the City of Phoenix, (February 28, 2006) stating their opposition to this request.

**SUPPORT/  
OPPOSITION:**

There was no opposition known as of the writing of the staff report, and no one spoke in opposition of the rezoning proposal at the Planning Commission hearing. Since the Planning Commission hearing, staff has received 20 letters/petitions (total of 24 pages, attached) with 104 signatures in opposition to the proposed rezoning.

The City of Phoenix is in opposition to this request.

**STAFF  
RECOMMENDATION:**

**DENY**

**COMMISSION  
RECOMMENDATION:**

**APPROVE** with modified stipulations (by unanimous vote)